

and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

In response, the Examiner issued an Advisory Action stating that the submission did not place the application in condition for allowance since the submitted assignments of the cited patent were executed by the inventors subsequent to the filing of the present application and hence did not demonstrate that inventions were "commonly owned by Oracle Corporation 'at the date the invention was made' on 2/1/2000."

The Examiner accordingly maintained the final rejection of October 22, 2003 and set the period for reply to expire 4 months from the mailing date of the filing rejection. Since that date had already passed on February 22, 2004, and the six month period in which to respond to the final rejection had also passed on April 22, 2004 (the previous response submitting the affidavits of ownership having been filed on the last day of the six month statutory period for response), this application became unintentionally abandoned on April 22, 2004.

This Response

This response is accompanied by a Petition to Revive and by a Request for Continued Prosecution in order to reinstate the application and reopen the prosecution so that the supplemental showing of common ownership which is being submitted with this response may be considered.

Applicants submit herewith the declaration of each of the named inventors of the cited Patent No. 6,549,922 to confirm that, on February 1, 2000 when the present application was filed, both the present application and the application for the cited patent were commonly owned by Oracle Corporation.

CONCLUSION

It is accordingly again requested that the prosecution that the outstanding rejection under Section 103 based on the cited patent 6,549,922 be withdrawn, and that this application be allowed.

Respectfully submitted,


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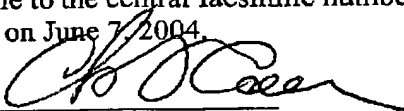
Dated: June 7, 2004

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this *Response and the accompanying Declaration of Ownership, Petition to Revive, Request for Continued Examination, Fee transmittal form, and credit card payment form* are being transmitted by facsimile to the central facsimile number of the U.S. Patent and Trademark Office, (703) 872-9306, on June 7, 2004.

Dated: June 7, 2004

Signature



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